

Why We Have Been Silent about the SGM Lawsuit
A Statement from Don Carson, Kevin DeYoung, and Justin Taylor
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Over the past several months we have remained publicly silent about the class-action lawsuit filed against Sovereign Grace Ministries (SGM), which alleged a conspiracy to cover up sexual abuse.

Many have asked why we have not spoken publicly. Is this a conspiracy of silence, a way to whitewash accusations against a friend? Is it a way to stand with the powerful and to make a mockery of the weak? Is it simple cowardice? Why hasn't more been said?

What We Did Not Intend to Communicate

We recognize that to some, our not speaking up feels like a betrayal, especially to those who have personally experienced abuse. Understandably, people want to hear that Christians categorically deplore and despise sexual abuse. We recognize that on this painful subject inaction can be hurtful and perceived as uncaring.

It needs to be said in no uncertain terms that the actual acts alleged in the lawsuit are utterly evil—an offense against a holy God and an act of hatred against innocent children. They are horrifying and revolting. Apart from repentance, they are damning. There is no excuse, at any time or in any place or for any reason, for the use of children for sexual pleasure. Pastors who learn of such abuses should contact the appropriate authorities immediately, institute church discipline, and apply the whole counsel of God (including both law and gospel). Every church should have a clear child protection policy, and in every situation of abuse the victims must be assured that they are *not* responsible for the crimes committed against them. Furthermore, pastors are responsible to obey all mandatory reporting laws, alerting law-enforcement officials and fully cooperating with all investigations. This is not an alternative to church discipline and gospel counsel, but a necessary and complementary role of divinely instituted civil authorities.

The Conspiracy Theory

Over the past several months we often weighed the idea of writing a statement like this. Every time we concluded that caution was the better course. It is generally unwise to make public comments concerning a civil case that is being considered for trial or currently under deliberation. But now that most of the complaints filed in the SGM Ministries civil lawsuit have been dismissed, it seems an appropriate time to explain our silence and some of our thinking behind it.

We have not read the ruling of dismissal from the judge because, to our knowledge, it has not been made public. We do not know whether the plaintiffs' attorney will file further charges. The legal back and forth may continue for some time. But we have read the explanation offered by the plaintiffs' attorney regarding the statute of limitations in a civil suit:

We (the victims and the lawyers) all knew about the statute issue at the outset. But fighting for justice means doing so even against known obstacles. We had a conspiracy theory to overcome the statute but the Court rejected it. . . .

This is a revealing comment, as it indicates the legal strategy behind the civil suit. (And note that this was a civil suit, not a criminal complaint. While they certainly believe crimes were committed, this lawsuit itself was only seeking monetary damages.)

The plaintiffs' counsel in the Sovereign Grace case knew that it could not proceed solely based on the allegations of abuse, given the statute of limitations. (Some of the alleged abuses occurred 25-30 years ago.) The statute of limitations is not a "legal technicality" but rather an important feature of our judicial system. The plaintiffs' counsel therefore alleged a wide-ranging "conspiracy theory," hoping that this would overcome the legal requirements regarding the time between when the alleged crimes took place and the filing of the civil lawsuit. This is apparently what the judge dismissed, determining that it would not even proceed to a trial. If you listen carefully to the attorneys' explanations of the case on radio programs and other venues, they essentially acknowledged that they had no proof of a conspiracy. As the motion to dismiss points out, although C. J. Mahaney is named as an individual defendant, "the sole allegation against him in the Complaint is that he founded Sovereign Grace Ministries ("SGM") and is currently its President. . . . He is not specifically identified or alleged to have performed any other act or omission throughout the 143-paragraph Complaint."

So the entire legal strategy was dependent on a conspiracy theory that was more hearsay than anything like reasonable demonstration of culpability. As to the specific matter of C. J. participating in some massive cover-up, the legal evidence was so paltry (more like non-existent) that the judge did not think a trial was even warranted.

Would it have served anyone to take to the blogosphere to express our legal opinion about the conspiracy allegations before the case was decided, much less before it even went to trial? Would it have changed anyone's mind? Would it have helped the case itself in any way? We deemed it wiser to let an impartial judge rule on whether the case should be considered, making a determination based on all the facts available.

Another reason we have remained silent is because we have detailed charges from one side, but essentially no defense from the other side. Scripture warns us about what

often happens in such a situation: “The one who states his case first seems right, until the other comes and examines him” (Prov. 18:17). Can anyone say with certainty who is innocent and who is guilty in these multiple allegations spanning several decades? This is why we have courts, and why the Bible calls us to prudence. If we must denounce and separate from everyone or every ministry facing serious allegations, any one of us could be publicly ruined in a matter of days by nothing more than accusations. High-profile Christians are sometimes targeted not because they are guilty, but because they are well known. While those who are shown to be guilty should be exposed with rigor and with tears, surely as brothers and sisters in Christ we must understand how much gain there is for those who hate the gospel when Christian leaders are unfairly attacked and diminished. We agree with the Heidelberg Catechism that obeying the ninth commandment requires more than telling the truth; it means we do not “join in condemning anyone without a hearing or without a just cause.” Instead, “I should do what I can to guard and advance my neighbor’s good name” (Q/A 112).

Please do not hear us saying that we assume all of the plaintiffs are lying. We do not assume all the defendants are innocent, or that they are all guilty. We are not privy to the sort of information necessary to make that determination. Where the allegations are accurate, we have nothing but the deepest sympathy for the victims, desiring that legal justice might prevail and that they might know the Lord’s healing and vindication. And where allegations may be false or misconstrued, we sympathize with those whose reputations have been unfairly tarnished with no public recourse. This is a tangled mess. It is enormously complicated, with multiple allegations at multiple levels over multiple years, with multiple amendments. Which is why if a case were to go to trial, it would involve hundreds of hours of evidence and deliberation by an impartial judge and jury seeking to discern the truth and to bring justice to bear. Discerning the full truth is not always a simple matter, and it does not seem to us that blog posts and tweets are the best medium to serve the cause of truth. In hindsight we still believe restraint has been the wiser path.

The Face of the Lawsuit

There are two other facts that may be germane to this discussion: (1) some have tried to make C. J. Mahaney the “face” of the SGM lawsuit, and (2) we are friends with C.J.

Reports on the lawsuit from *Christianity Today* and *World Magazine* (among others) explicitly and repeatedly drew attention to C. J., connecting the suit to recent changes within SGM. He has also been the object of libel and even a Javert-like obsession by some. One of the so-called discernment blogs—often trafficking more in speculation and gossip than edifying discernment—reprinted a comment from a woman who issued this ominous wish, “I hope [this lawsuit] ruins the entire organization [of SGM] and every single perpetrator and co-conspirator financially, mentally and physically.”

We are not ashamed to call C. J. a friend. Our relationship with C. J. is like that with any good friend—full of laughter and sober reflection, encouragement and mutual correction. He has regularly invited—even pursued—correction, and we have given him our perspective when it is warranted. While the admission of friendship may render this entire statement tainted in the eyes of some, we hope most Christians will understand that while friends should never cover for each others' sins, neither do friends quickly accept the accusations of others when they run counter to everything they have come to see and know about their friend. We are grateful for C. J.'s friendship and his fruitful ministry of the gospel over many decades.

Conclusion

We are not in a place to adjudicate all the charges leveled against Sovereign Grace Ministries or the specific individuals named in the lawsuit. The purpose of this statement is not to render a verdict on the charges, nor in any way to trivialize the sins alleged. We realize some will construe this post as confirmation of their worst suspicions, but we trust most of our brothers and sisters will be able to consider our explanation with an open heart and a fair mind. Our silence was not decided upon lightly; neither was our decision to break this silence. Our prayer is that one day—and please, Lord, soon—all who face injustice of any kind will see the Lord bring forth his righteousness as the light, and his justice as the noonday (Ps. 37:6).

<http://thegospelcoalition.org/blogs/tgc/2013/05/24/why-we-have-been-silent-about-the-sgm-lawsuit/>